

## Article - Public Safety

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§1-312.

(a) (1) During each county's fiscal year, the county may spend the amounts distributed to it from State 9-1-1 fee collections for the installation, enhancement, maintenance, and operation of a county or multicounty 9-1-1 system.

(2) A county may not spend the amounts distributed to it from State 9-1-1 fee collections for any purpose associated with the 9-8-8 suicide prevention hotline.

(b) Subject to the provisions of subsection (c) of this section, maintenance and operation costs may include telephone company charges, equipment costs, equipment lease charges, repairs, utilities, personnel costs, and appropriate carryover costs from previous years.

(c) During a year in which a county raises its county 9-1-1 fee under § 1-311 of this subtitle, the county:

(1) may use 9-1-1 trust funds only to supplement levels of spending by the county for 9-1-1 maintenance or operations; and

(2) may not use 9-1-1 trust funds to supplant spending by the county for 9-1-1 maintenance or operations.

(d) (1) The Board shall provide for an audit of each county's expenditures for the maintenance and operation of the county's 9-1-1 system.

(2) If an audit performed in accordance with paragraph (1) of this subsection determines that a county has utilized 9-1-1 trust funds for purposes other than those authorized under this subtitle, the governing body of the county shall:

(i) submit to the Board a report that includes an explanation for the diversion of 9-1-1 trust funds for unauthorized purposes and details the steps taken by the county to ensure that the diversion of 9-1-1 trust funds does not occur in the future; and

(ii) restore the diverted funds to the county's 9-1-1 budget within that fiscal year.

(e) (1) For a county without an operational Phase II wireless enhanced 9–1–1 system within the time frames established by the Board under § 1–306(b)(6) of this subtitle, the Board shall adopt procedures, to take effect on or after January 1, 2006, to assure that:

(i) the money collected from the county 9–1–1 fee and distributed to the county is expended during the county’s fiscal year as follows:

1. for a 9–1–1 system in a county or a multicounty area with a population of 100,000 individuals or fewer, a maximum of 85% may be spent for personnel costs; and

2. for a 9–1–1 system in a county or multicounty area with a population of over 100,000 individuals, a maximum of 70% may be spent for personnel costs; and

(ii) the total amount collected from the State 9–1–1 fee and the county 9–1–1 fee shall be expended only for the installation, enhancement, maintenance, and operation of a county or multicounty system.

(2) The Board may grant an exception to the provisions of paragraph (1) of this subsection in extenuating circumstances.

(3) A county with an operational Phase II wireless enhanced 9–1–1 system is exempt from the provisions of paragraph (1) of this subsection.

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